

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CONNIE D. PETROZIELLO,

Plaintiff,

v.

DECISION AND ORDER
14-CV-117A

NANCY A. BERRYHILL,
Acting Commissioner of Social Security,

Defendant.

The above-referenced case was referred to Magistrate Judge Michael J. Roemer, pursuant to 28 U.S.C. § 636(b)(1)(B). On February 14, 2017, Magistrate Judge Roemer filed a Report and Recommendation (Dkt. No. 19), recommending that plaintiff's motion for judgment on the pleadings (Dkt. No. 12) be granted, that the Commissioner's motion for similar relief (Dkt. No. 13) be denied, and that this matter be remanded to the Commissioner for further administrative proceedings.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Roemer's Report and Recommendation, plaintiff's motion for judgment on the pleadings is granted, the Commissioner's motion for similar relief is denied, and this matter is remanded to the Commissioner for further administrative proceedings, consistent with Magistrate Judge Roemer's Report and Recommendation.

The Clerk of Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: March 16, 2017